Message

From: Jay Ellenberger [jseconsultant@aol.com]
Sent: 8/27/2020 9:51:04 PM
To: Herndon, George [Herndon.George@epa.gov]
CC: steve.claussen@willmarfab.com; rhylanderdj@gmail.com; Kenny, Daniel [Kenny.Dan@epa.gov]
Subject: Re: Proposal for Dicamba Drift Mitigation

Jeff, thanks for your reply and question. I believe Steve is planning to address this to you and Bayer. We're aware OPP can't dictate a specific brand of technology however a solution would be for labels to specify key physical characteristics of a hooded sprayer that has supporting drift efficacy data such as Redball hoods. Thinking of other risk reduction technologies that are recommended or required on labels, such as nozzles, chem resistant gloves, respirators, and other technologies. Labels give some generic designation applies to a tested and accepted product; any manufacturer can make and sell as long as he meets the specs.
I recall this as an issue in developing the DRT Program...I addressed this a few times at AAPCO or SFIREG and the states agreed with this approach from an enforcement perspective.

Steve

Jay Ellenberger

On Aug 27, 2020, at 5:00 PM, Herndon, George <Herndon.George@epa.gov> wrote:

> Jay,
> I spoke to Dan Kenny about this issue, and one of the hurtles we have from the government side is specifying a standard to be met. In your note you specify "require applicators to use quality spray hoods", but to our knowledge there is no standard for that at this time. EPA cannot propose propriety equipment, but industry can. If Bayer were to address the issue and propose that RedBall hoods be used on dicamba applications in high wind counties, we could review that label amendment. The other idea that Dan and I had was to reach out to individual States in these high wind areas and see if they would be interested in adding additional restrictions to State labels. Let me know if you have other ideas or would like to discuss the issue further.
> Jeff
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> **From:** Jay Ellenberger <jseconsultant@aol.com>
> **Sent:** Thursday, August 20, 2020 4:31 PM
> **To:** Kenny, Daniel <Kenny.Dan@epa.gov>; Herndon, George <Herndon.George@epa.gov>
> **Cc:** steve.claussen@willmarfab.com; rhylanderdj@gmail.com
> **Subject:** Proposal for Dicamba Drift Mitigation
>
> Hi Dan and Jeff,
>
> Hope you are well, and I know you're very busy so I'll get right to the point. I've attached on behalf of Steve Claussen of Willmar Fabrication a proposal for OPP's consideration of options for future dicamba registrations. Jeff, I know Steve shared his thoughts and some information with you last week. Attached is a slide deck with the proposal and supporting information. We've had conversations with Bayer representatives and we'll share this information with them soon.
>
> Our proposal simply is this: for any future registration of a OTT dicamba product, require applicators to use quality spray hoods in those areas of consistent high wind and high drift incidents. Weather and incident data included in the slide deck show this area is primarily in five upper mid-west states. This restriction would not be necessary for applicators in areas that do not have these factors. Weather data from the last three years strongly suggest applicators do not have enough time to legally treat all of the soybean acres in these areas and may therefore make drift prone applications in wind above 10 mph to meet work demands, label spray end-date, and product efficacy. Studies of Willmar's spray hoods that

OPP has on file demonstrate the efficacy of significantly reducing particle drift as compared to standard (open) boom sprayers.

Executing this proposal would require the manufacture, sale, and distribution of many additional hooded sprayers to treat the soybean acres in these areas, but with sufficient lead time Steve believes this is doable for 2021 for his company and any other hood manufacturer. Additionally, Steve is willing to partner with Bayer and other registrants on pricing and execution of a program. Steve has a history of working with registrants, including Monsanto, Syngenta, and AmVac.

The slide deck is in four parts: proposal, rationale, and execution; followed by soybean acreage and planting and emergence dates for the five states; effect of weather reducing spray days; and, wind and incident maps. We acknowledge our proposal targets particle spray drift in the areas with consistent weather conditions that favor drift.

We realize the dicamba drift issue is very complex. Steve and I would like the opportunity to address and questions you may have, and we look forward to hearing from you.

Sincerely,

Jay

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